GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Allegations of Criminal Misconduct and Criminal conspiracy against Sri Ch.V.Mahesh Kumar, Excise SHO and (11) other P&E officials for their involvement in the Liquor Syndicate case of Guntur District – Accused Officers placed on their defence before the Tribunal for Disciplinary Proceedings – TDP framed charges - TDP Repealed - Case entrusted to Commissionerate of Inquiries – Sri R.P.Thakur, IPS(Retd), Member, Commissioner of Inquiries - Appointed as Inquiring Authority - Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.384 Dated:18.04.2023
Read the following:-

1. From the DG, ACB, Lr.C.No.61/RCO-VZT/2012, Dated:12-11-2012
2. Govt. Memo.No.51902/VIG.V(2)/2012-1, dated:16-01-2013.
3. Govt. Memo.No.51902/VIG.V(2)/2012-1, dated:25-05-2013.
4. Orders dated:24.12.2020 of Hon'ble High Court of AP in WP No.24975 of 2020 filed by Sri Kalluva Ravindra, P&EI
5. Act 29 of 2022 to repeal the Andhra Pradesh civil services (Disciplinary Proceedings Tribunal) Act, 1960 and to provide for matters connected therewith or incidental thereto published in AP Gazette, Part-IV-B Extrordinary No.29, Amaravati, dt:22.12.2022.
6. G.O.Ms.No.98, G.A.(Ser.E)Department, dt:18.08.2022.
7. U.O.Note.No.1878240/GAD/COI-R/2022-8, GA(COI)Dept., dt:29.11.2022.

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O R D E R :

Whereas the Director General, Anti Corruption Bureau in his (final report) Lr.Rc.No.61/RCO-VZT/2012, Dated:12-11-2012 (Cr.No.5/RCO-ACB-VZA/2012) vide reference 1st read above, in respect of Guntur District Liquor Syndicate case, reported that on the allegations of criminal misconduct and criminal conspiracy against Sri Ch.V.Mahesh Kumar, Excise SHO and (18) other Prohibition & Excise officials and recommended to place them on their defense before Tribunal for Disciplinary Proceedings. After following due procedure, the Government have entrusted their cases to TDP. The TDP has framed charges against charged officers.

2. Whereas, Sri Mallem Kondaiah, P&EI (Retd) has filed three (3) writ petitions on his disciplinary proceedings initiated by TDP against him and the Hon'ble High Court has quashed the three charge memos and stated that the petitioner entitled for pensionary benefits. Further, he has also filed three contempt cases. The Government after examining the matter, implemented the orders of Hon'ble High Court and sanctioned pensionary benefits to Sri Mallem Kondaiah, P&EI (Retd) vide G.O.Rt.No.979, Rev(Vig.IV) Dept, dated:27.09.2019.

3. And whereas, Sri G.Nagendrappa, P&EI, one of the charged officer, has filed three (3) writ petitions on his disciplinary proceedings initiated by TDP against him and the Hon'ble High Court has quashed the three charge memos and stated that the petitioner entitled for pensionary benefits. The Government after examining the matter, implemented the orders of Hon'ble High Court and sanctioned pensionary benefits to Sri G.Nagendrappa, P&EI (Retd) vide G.O.Rt.No.236, Rev(Vig.IV) Dept, dated:19.02.2020.

4. Whereas certain charged officers i.e., Sri G.Dwarakanath, P&E I (Retd), Sri S.Naresh, P&E I (Retd), Sri D.Nehemia Babu, P&E I (Retd) and Sri M.Venkata Reddy, P&E I (Retd) have filed WPs for challenging disciplinary proceedings initiated by the TDP against them. The Hon'ble High Court has passed orders in all WPs and quashed the charge memos in the case of Sri D.Nehenia Babu and Sri M.Venkata Reddy and set aside the charge memos in the case of Sri Samayam Naresh and in the case of Sri G.Dwarakanath, directed the respondents to conclude the enquiry within (3) three months from the date of receipt of a copy of the order, failing which the charge memos shall stand quashed. The Government after examining the matter and implemented the Hon'ble High Court orders and sanctioned pensioner benefits to above said individuals.

5. Whereas, Sri Kalluva Ravindra, P&EI, Guntur district has filed WP.No.24975 of 2020 before the Hon'ble High Court for challenging disciplinary proceedings initiated against him vide TEC Nos. 122, 142 of 2013. The Hon'ble High Court has passed orders dated:

(P.T.O.)

24.12.2020 in the above said WP and directed the respondents to conclude the enquiry within (3) three months from the date of receipt of a copy of the order, failing which the charge memos shall stand quashed. The matter is under examination by the Government.

6. Whereas certain charged officers including Sri Y.Ashok Kumar, P&EI, Sri G.Narasimha Rao, P&EI, Sri Ede Mariah Babu, P&EI and Sri C.Madhu Babu, P&EI, have filed Writ Petitions before the Hon'ble High Court challenging the charge memos issued against them and same are pending with the Hon'ble High Court. In this regard, the GP for Service-I, APHC vide his letter dated 24.02.2023 has informed that the mentioned writ petitions came up for hearing on 24.02.2023 and the Hon'ble High Court directed to conclude the inquiries within 6 months, otherwise the charges will be quashed.

7. And whereas, in the Act 5th read above, it was ordered that "the Tribunal constituted under the repealed Act shall stand abolished and all cases pending before the said Tribunal for Disciplinary proceedings on the said date shall stand transferred to the Commissionerate of Inquiries (COI) to continue the pending proceedings and shall be disposed off by it in accordance with the statutory rules governing conduct of the disciplinary proceedings in due compliance with principles of natural justice"

8. Whereas the Government have issued orders of procedure in respect of the cases pending before the TDP and allotted/transferred the same to the Commissioner of Inquiries vide reference 6th read above for conducting regular enquiry.

9. Accordingly, the above cases of Sri Ch.V.Mahesh Kumar, Excise SHO and (18) other P&E officials, Guntur District has been allotted/entrusted to Sri R.P.Thakur, IPS(Retd), Member, Commissioner of Inquiries, to enquire into the charges framed against charged officers vide 7th read above.

10. Government after careful examination of the matter, hereby place the following charged officers on their defence before the Commissioner of Inquiries for conducting regular inquiry into the charges farmed against them for their involvement in the liquor syndicate case of Guntur District.

Sl. No.	Name of the Accused Officer Sarvasri	Designation	Place	A.O. No.	TEC No.
1	Ch.V.Mahesh Kumar	SHO	Sattenapalli	7	134/2013
2	V.Aruna Kumari	SHO	Guntur-II	8	135/2013
3	Dasari Balaih	SHO	Mangalagiri	11	138/2013
4	M.Yashodara Devi	SHO	Repalle	13	140/2013
5	A.Ravi	SHO	Duggirala	16	143/2013
6	Y.Ashok Kumar	SHO	Nagaram	17	144/2013
7	C.Madhu Babu	SHO	Duggirala	18	145/2013
8	Ede Mariah Babu	I/C SHO	Chilakulurpet	20	147/2013
9	G.Madhusudana Rao	SHO	Chilakulurpet	22	149/2013
10	Tanniru Lakshmanaswamy	SHO	Piduguralla	23	150/2013
11	G.Devadattu	SHO	Guruzala	24	151/2013
12	G.Narasimha Rao	SHO	Vinukonda	27	153/2013

11. Now, therefore the disciplinary authority in exercise of the powers conferred under Sub-rule (2) of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules,1991, hereby appoint Sri R.P.Thakur, IPS(Retd), Member, Commissioner of Inquiries, as Inquiry Officer to enquire into the charges framed against charged officers mentioned at para 10 above, for their involvement in Liquor Syndicate case of Guntur District and he is directed to complete the enquiry expeditiously and to furnish the Inquiry Report to the Government within 4 months (keeping in view of the directions of the Hon'ble High Court in the writ petitions filed by the certain charged officers) to enable the Government to take further action and pass final orders in the matter within the stipulated time as observed by the Hon'ble High Court.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

(Contd.3)

To
Sri R.P.Thakur, IPS(Retd), Member, Commissioner of Inquiries, General Administration (COI) Department, AP Secretariat Building No.5, Velagapudi (with enclosures i.e the record of the case which is received from the TDP).

Copy to:
Sri Ch.V.Mahesh Kumar, Excise SHO and (11) other P&E Officials, Guntur District (Through the Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada)
The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi, Guntur District.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The General Administration (COI) Department, A.P.Secretariat, Building No.5, Velgapudu, Guntur District.
The GP for Services-1, APHC, Amaravathi
Sri K.Pridhvi Raj, Advocate & PP Gr-I (Rtd.)& Presenting Officer.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER